

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PINNACLE FOODS,	§	
	§	No. 201, 2010
Employer/Appellee Below,	§	
Appellant,	§	Court Below—Superior Court
	§	of the State of Delaware in and
v.	§	for Sussex County
	§	
MARIAN CHANDLER,	§	
	§	
Employee/Appellant Below,	§	C.A. No. S09A-07-002
Appellee.	§	

Submitted: April 13, 2010

Decided: April 20, 2010

Before **STEELE**, Chief Justice, **JACOBS** and **RIDGELY**, Justices.

ORDER

This 20th day of April 2010, it appears to the Court that:

(1) Employer/appellee below, Pinnacle Foods, has petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from the Superior Court's order of March 22, 2010 that (i) reversed the Industrial Accident Board's denial of the employee/appellant below's petition to determine compensation due and (ii) remanded the matter to the Board for a hearing on the merits of the petition. By order dated April 12, 2010, the Superior Court denied Pinnacle Food's application for certification of the interlocutory appeal.

(2) Applications for interlocutory review are addressed to the sound discretion of this Court and are granted only in exceptional circumstances. We have examined the Superior Court's March 22, 2010 order according to the criteria set forth in Rule 42 and have concluded that exceptional circumstances as would merit review of the order do not exist in this case.

NOW, THEREFORE, IT IS HEREBY ORDERED that the interlocutory appeal is REFUSED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice